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15 *Industrial Co., Ltd.) and Panasonic Corporation of North America*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

18 In re: CATHODE RAY TUBE (CRT)
19 ANTITRUST LITIGATION

Case No. 07-5944 SC

MDL No. 1917

20 This Document Relates to:

21 ALL INDIRECT-PURCHASER ACTIONS

22 *Sharp Electronics Corp., et al. v. Hitachi Ltd.,*

23 *et al.*, No. 13-cv-01173

24 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*
25 *al.*, No. 11-cv-01656;

26 *Electrograph Sys., Inc., et al. v. Technicolor SA,*
et al., No. 13-cv-05724;

27 *Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;
28

**DECLARATION OF SOFIA
ARGUELLO IN SUPPORT OF
DEFENDANTS PANASONIC
CORPORATION OF NORTH
AMERICA AND PANASONIC
CORPORATION'S (F/K/A
MATSUSHITA ELECTRIC
INDUSTRIAL CO., LTD.)
ADMINISTRATIVE MOTION TO
SEAL DOCUMENTS PURSUANT TO
CIVIL LOCAL RULES 7-11 AND 79-
5(d)**

1 *Siegel v. Technicolor SA, et al.*, No. 13-cv-
05261;

2

3 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*,
No. 11-cv-05513;

4 *Best Buy Co., Inc., et al. v. Technicolor SA, et*
5 *al.*, No. 13-cv-05264;

6 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*
et al., No. 11-cv-05514;

7 *Target Corp. v. Technicolor SA, et al.*, No. 13-
cv-05686;

8

9 *Sears, Roebuck & Co., et al. v. Chunghwa*
Picture Tubes, Ltd., et al., No. 11-cv-05514;

10 *Sears, Roebuck & Co., et al. v. Technicolor SA,*
11 *et al.*, No. 13-cv-05262;

12 *Interbond Corp. of Am. v. Hitachi, Ltd., et al.*,
No. 11-cv-06275;

13 *Interbond Corp. of Am. v. Technicolor SA, et*
14 *al.*, No. 13-cv-05727;

15 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, No.
11-cv-06276;

16 *Office Depot, Inc. v. Technicolor SA, et al.*, No.
13-cv-05726;

17

18 *CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*,
No. 11-cv-06396;

19 *P.C. Richard & Son Long Island Corp., et al. v.*
20 *Hitachi, Ltd., et al.*, No. 12-cv-02648;

21 *P.C. Richard & Son Long Island Corp., et al. v.*
Technicolor SA, et al., No. 13-cv-05725;

22 *Schultze Agency Servs., LLC v. Hitachi, Ltd., et*
23 *al.*, No. 12-cv-02649;

24 *Schultze Agency Servs., LLC v. Technicolor SA,*
et al., No. 13-cv-05668;

25 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,
No. 13-cv-00157

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1 I, Sofia Arguello, declare as follows:

2 1. I am an attorney with Winston & Strawn LLP, attorneys for Defendants
3 Panasonic Corporation of North America (“PNA”), MT Picture Display Co., Ltd., and Panasonic
4 Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.) (“Panasonic Corp.”) (collectively, the
5 “Panasonic Defendants”) in these actions. I am a member of the bar of the State of New York and I
6 am admitted to practice before this Court *pro hac vice*.

7 2. I submit this declaration pursuant to Civil Local Rule 79-5(d) in Support of
8 the Administrative Motion to File Under Seal PNA and Panasonic Corp.’s Reply in Support of
9 Motion for Summary Judgment (the “Reply”). Except for those matters stated on information and
10 belief, about which I am informed and which I believe to be true, I have personal knowledge of the
11 facts stated herein and, if called as a witness, I could and would competently testify thereto.

12 3. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this
13 matter (No. 07-cv-05944, Dkt. No. 306, amended at Dkt. No. 1142) (the “Protective Order”).

14 4. On January 23, 2015, Defendants PNA and Panasonic Corp. filed an
15 Administrative Motion to Seal, and lodged conditionally under seal, the following documents, or
16 portions thereof, pursuant to Civil Local Rules 7-11 and 79-5(d):

17 (a) Portions of the Reply that contain quotations or information from documents
18 and/or deposition testimony designated “Confidential” or “Highly Confidential;” and

19 (b) Exhibits 1 through 6 to the Declaration of Sofia Arguello in Support of the Reply
20 (“Arguello Decl.”).

21 5. Pursuant to Civil Local Rule 79-5(d), I make this declaration on behalf of the
22 Panasonic Defendants to provide the basis for the Court to maintain under seal certain documents
23 and information designated by the Panasonic Defendants as “Confidential” or “Highly Confidential”
24 pursuant to the Stipulated Protective Order, and all references to those documents and information in
25 the Reply.

26 6. Specifically, the Panasonic Defendants request that the following excerpts be
27 maintained under seal: (i) Exhibit 1 to the Arguello Decl. (excerpts from the transcript of the
28 deposition of Michael Hsu, who was a percipient witness for the Panasonic Defendants); (ii) Exhibit

2 to the Arguello Decl. (excerpts from the transcript of the deposition of Tatsuo Tobinaga, who was designated as a Fed. R. Civ. P. 30(b)(6) witness for the Panasonic Defendants); (iii) Exhibit 3 to the Arguello Decl. (excerpts from the transcript of the deposition of Takashi Nakano, who was designated as a Fed. R. Civ. P. 30(b)(6) witness for the Panasonic Defendants); (iv) Exhibit 4 to the Arguello Decl. (excerpts from the transcript of the deposition of Allen Chang, who was a percipient witness for the Panasonic Defendants); and (v) all references to information designated “Confidential” or “Highly Confidential” by the parties in the above captioned actions in the Reply.

7. Attached as Exhibit 1 to the Arguello Decl. are excerpts from the transcript of the deposition of Michael Hsu, a percipient witness for the Panasonic Defendants.

8. Upon information and belief, the transcript excerpts in Exhibit 1 to the Arguello Decl. contain, cite, identify and/or analyze confidential, nonpublic, proprietary and highly sensitive information about the Panasonic Defendants’ business practices, internal practices, and competitive positions. I am informed and believe that this is sensitive information and public disclosure of this information presents a risk of undermining the Panasonic Defendants’ business relationships, would cause it harm with respect to its competitors and customers, and would put the Panasonic Defendants at a competitive disadvantage.

9. Attached as Exhibit 2 to the Arguello Decl. are excerpts from the transcript of the deposition of Tatsuo Tobinaga, who was designated as a Fed. R. Civ. P. 30(b)(6) witness for the Panasonic Defendants.

10. Upon information and belief, the transcript excerpts in Exhibit 2 to the Arguello Decl. consist of, cite to, and/or identify confidential, nonpublic, proprietary and highly sensitive business information about the Panasonic Defendants’ business practices, internal practices, and competitive positions. I am informed and believe that this is sensitive information and public disclosure of this information presents a risk of undermining the Panasonic Defendants’ business relationships, would cause it harm with respect to its competitors and customers, and would put the Panasonic Defendants at a competitive disadvantage.

1 11. Attached as Exhibit 3 to the Arguello Decl. are excerpts from the transcript of
2 the deposition of Takashi Nakano, who was designated as a Fed. R. Civ. P. 30(b)(6) witness for the
3 Panasonic Defendants.

4 12. Upon information and belief, the transcript excerpts in Exhibit 3 to the
5 Arguello Decl. consist of, cite to, and/or identify confidential, nonpublic, proprietary and highly
6 sensitive business information about the Panasonic Defendants' business practices, internal
7 practices, and competitive positions. I am informed and believe that this is sensitive information and
8 public disclosure of this information presents a risk of undermining the Panasonic Defendants'
9 business relationships, would cause it harm with respect to its competitors and customers, and would
10 put the Panasonic Defendants at a competitive disadvantage.

11 13. Attached as Exhibit 4 to the Arguello Decl. are excerpts from the transcript of
12 the deposition of Allen Chang, a percipient witness for the Panasonic Defendants.

13 14. Upon information and belief, the transcript excerpts in Exhibit 4 to the
14 Arguello Decl. consist of, cite to, and/or identify confidential, nonpublic, proprietary and highly
15 sensitive business information about the Panasonic Defendants' business practices, internal
16 practices, and competitive positions. I am informed and believe that this is sensitive information and
17 public disclosure of this information presents a risk of undermining the Panasonic Defendants'
18 business relationships, would cause it harm with respect to its competitors and customers, and would
19 put the Panasonic Defendants at a competitive disadvantage.

20 15. The highlighted portions of pages 1 through 14 of the Reply and Appendix A
21 quote from or describe documents or information designated as "Confidential" or "Highly
22 Confidential" by the Panasonic Defendants, including but not limited to Exhibits 1 through 4. As
23 with the exhibits themselves, I understand that the Panasonic Defendants consider any statements in
24 the Reply purporting to summarize the exhibits or any other documents or information designated
25 "Confidential" or "Highly Confidential" by the Panasonic Defendants confidential and proprietary. I
26 am informed and believe that the Panasonic Defendants have taken reasonable steps to preserve the
27 confidentiality of information of the type contained, identified, or cited to in Exhibits 1 through 4,
28 and referenced in the Reply and Appendix A.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: January 23, 2015

By: /s/ Sofia Arguello

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